

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

Petition for Revocation of Supervised Release

Name of Offender: Thomas Montoya
Docket Number: 1084 1:16CR02931 -001MV
Assigned Judge: Honorable Martha Vazquez, Senior United States District Judge
Date of Original Sentence: 04/30/2019
Original Offense: 21 U.S.C. 841(a)(1): Distribution of 50 grams and More of a Mixture and Substance Containing Methamphetamine
Original Sentence: BOP: 7 months; TSR: 36 months
Date Supervision Recommended: 10/07/2022
Date Supervision Expires: 10/06/2025
Other Court Action: 12/21/2020: 12C Petition for Revocation of Supervised Release and Request for warrant due to the defendant absconding from Diersen Residential Reentry Center.

08/19/2021: The defendant appeared for his Final Revocation Hearing and was sentenced to four months custody, followed by 42-months of supervised release.

09/12/2021: 12C Petition for Revocation of Supervised Release and request for warrant due to the defendant failing to complete location monitoring and failing to reside at an approved sober living facility.

11/05/2021: Stipulated Order of Release approved by the Court. The defendant was released to La Pasada Halfway House on November 8, 2021.

03/30/2022: Amended Petition for Revocation of Supervised Release and Request for a Warrant due to the defendant failing to appear for treatment and drug testing.

08/30/2022: Final Revocation Hearing held. Defendant sentenced to 7 months custody, followed by a 36-month term of supervised release.

PETITIONING THE COURT

No warrant requested. Emergency warrant issued.

U.S. Probation Officer of the Court, Ben Aragon, alleges the defendant has violated the following condition(s) of supervised release.

***Violation
Type***

SPC

Nature of Noncompliance

You must reside in a residential reentry center for a term of (up to) 6 months. You must follow the rules and regulations of the center.

On October 15, 2022, the defendant left La Pasada Halfway House without permission. He failed to return. Due to this action, he was terminated from the facility.

The maximum statutory penalty: 3 years imprisonment; 4 years supervised release.

The revocation range of imprisonment: 7 to 13 months.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/17/2022.

Submitted:

Approved:

☐ Phone Approval

Ben Aragon

Ben E. Aragon
Senior U.S. Probation Officer
Cell #: 505-239-3974

Emergency warrant requested

Samuel Hurtado
Assistant U.S. Attorney

Date: 10/17/2022